

EXHIBIT 6
FILED UNDER SEAL

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

GOOGLE LLC,

Plaintiff,

vs.

No. 3:20-cv-6754

SONOS, INC.,

Defendant.

_____ /

-- HIGHLY CONFIDENTIAL, ATTORNEYS' EYES ONLY --

VIDEO-RECORDED FEDERAL RULE 30(B)(6) DEPOSITION OF

GOOGLE LLC, BY CHRISTOPHER CHAN

Remote Zoom Proceedings

Oakland, California

Tuesday, November 29, 2022

REPORTED BY:

LESLIE ROCKWOOD ROSAS, RPR, CSR 3462

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Job No. 5594471

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1 happy to as well.

2 Q. Yeah, I'm going to need you to look at these
3 exhibits today. So they're in that Google Drive folder.

4 Take a look at Exhibit 2. And my first question
5 is going to be: Do you recognize the document? 09:12:46

6 A. Is this the one labeled "Balance Launch
7 Narrative"?

8 Q. No. I'm not sure you're in the right folder.

9 A. Okay.

10 MR. JUDAH: Yeah, let me put it in the chat so 09:13:04
11 you can see it.

12 I'm requesting access to the folder myself now.

13 THE WITNESS: Is this the one whose file name is
14 "Sonos V Google 30(b)(6) Notice (Corrected)"?

15 Q. BY MR. SULLIVAN: Yes, it is. 09:13:30

16 A. Can I take a moment to look at the document?

17 Q. Of course. Throughout the day, take as little
18 or as long as you need to look at any of the documents
19 that I'm going to ask you to look at, okay?

20 A. Okay. 09:15:36

21 Q. Okay. Do you recognize this document?

22 A. Portions of it, yes.

23 Q. Which portions?

24 A. Topics 3 and 4 towards the end.

25 Q. Great. That would be on the second-to-last 09:15:47

1 page; correct?

2 A. Yes.

3 Q. Okay. And you understand that Google has
4 designated you to testify on their behalf regarding

5 Topics 3 and 4 of this Notice; is that right? 09:16:00

6 MR. JUDAH: I'll note that subject to Google's
7 objections.

8 But you can answer, Mr. Chan.

9 THE WITNESS: Yes, I do.

10 Q. BY MR. SULLIVAN: Okay. And more specifically, 09:16:09

11 you are Google's corporate designee on Topic 3 as it
12 relates to: One, Google's strategies for the sale and
13 marketing of the accused functionalities and the accused
14 hardware products; two, the competitive relationship
15 between the parties to the extent there is one; and 3, 09:16:30
16 metrics information regarding installs of the accused
17 software apps on the accused hardware devices and usage
18 of the accused functionalities.

19 Is that correct?

20 A. Are you reading from part of the document? 09:16:48

21 Q. No. I'm actually reading from representations
22 from Google's counsel that was filed.

23 A. Got it.

24 MR. JUDAH: So, Mr. Chan, you can answer based
25 on your understanding. 09:16:59

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1 THE WITNESS: Yes, this is my understanding.

2 Q. BY MR. SULLIVAN: And you are Google's corporate
3 designee on Topic 4 as it relates to: One, customer
4 feedback, including comments and/or complaints regarding
5 the accused functionalities, to the extent such feedback 09:17:29
6 exists and is reasonably within Google's possession,
7 custody, and control; and two, metrics information
8 regarding usage of the accused functionalities.

9 Is that correct?

10 A. That sounds right. 09:17:46

11 MR. JUDAH: Yeah. The same, Mr. Chan.

12 Q. BY MR. SULLIVAN: And you understand your
13 testimony in these topics will be binding on Google;
14 right?

15 A. I'm not sure what "binding on Google" means. 09:18:02

16 Q. You're answering on behalf of the company today
17 with respect to this 30(b)(6) deposition notice; correct?

18 A. That is my understanding, yes.

19 MR. JUDAH: Objection to form.

20 Q. BY MR. SULLIVAN: And you are prepared to 09:18:28
21 testify regarding these topics today?

22 A. I am prepared to testify.

23 Q. Before preparing for this deposition, were you
24 knowledgeable concerning these topics?

25 A. I have knowledge around both of these topics, 09:18:46

1 yes.

2 Q. Is there anyone at Google that is more
3 knowledgeable about either of these topics?

4 MR. JUDAH: Objection to form.

5 THE WITNESS: I'm not aware. 09:18:57

6 Q. BY MR. SULLIVAN: Okay. Let's take a look at
7 what we've marked as Deposition Exhibit Number 1260.
8 That should be in the folders as well.

9 A. Yep.

10 Q. Do you recognize this document? 09:19:19

11 MR. JUDAH: And I apologize. I'm still waiting
12 for access to the folder. Was there -- I can look up the
13 doc separately. Sean, is there a Bates Number for this
14 or?

15 MR. SULLIVAN: No. It's his LinkedIn page. 09:19:36

16 MR. JUDAH: Okay, okay. I'll look at it. You
17 can proceed.

18 Q. BY MR. SULLIVAN: At least, I think it's your
19 LinkedIn page, but that's my question for you, Mr. Chan.
20 Did I do a good job of downloading and capturing your 09:19:51
21 LinkedIn page correctly?

22 A. This looks like my LinkedIn page, yes.

23 Q. Is the information on your LinkedIn page, which
24 is Exhibit 1260, accurate?

25 A. To the best of my knowledge, yes. 09:20:17

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1 Q. Are there any changes that you're aware of or
2 that should be made to that LinkedIn page?

3 A. Not at this time, no.

4 Q. So it's up to date; right?

5 MR. JUDAH: Objection. Form. 09:20:34

6 THE WITNESS: That is my understanding as I am
7 reviewing it.

8 Q. BY MR. SULLIVAN: So it says here that you're a
9 product manager; is that right?

10 A. Yes. 09:21:08

11 Q. Well, let me -- let me correct that. You were a
12 product manager at Google from May 2017 to October of
13 2020; is that right?

14 A. Yes, that's correct.

15 Q. And then you got promoted to senior product 09:21:20
16 manager?

17 A. Yes, that's correct.

18 Q. And that is your current title?

19 A. Yes.

20 Q. So what products are you responsible for as a 09:21:30
21 product manager at Google?

22 MR. JUDAH: Objection. Form.

23 THE WITNESS: Are you asking right now or in
24 prior months or years?

25 Q. BY MR. SULLIVAN: Let's start with when you were 09:21:45

1 just a product manager, and then I'll ask about if it's
2 changed in your role as senior product manager.

3 MR. JUDAH: Same objection.

4 THE WITNESS: So when I was a product manager, I
5 worked on Google Home Max. 09:22:03

6 Q. BY MR. SULLIVAN: Okay. Any other products?

7 A. Also I worked on Nest Mini.

8 Q. Any other products?

9 A. Also I worked on Nest Audio.

10 Q. How about Google Home; did you work on that 09:22:28
11 product?

12 MR. JUDAH: Objection. Form.

13 THE WITNESS: I worked on software features that
14 impacted Google Home, but not the hardware product
15 itself. 09:22:42

16 Q. BY MR. SULLIVAN: Are there any other products
17 that we didn't just discuss?

18 A. I worked on software features for additional
19 products.

20 Q. And what were those software features and 09:23:06
21 products?

22 A. Software features included our group playback
23 functionality.

24 Q. Okay. Any other features?

25 A. Our stream transfer functionality. 09:23:28

1 remember all the details beyond facts that like the
2 orange color was the one that we were interested in
3 marketing to, and they were defined by their kind of
4 tech-forward attitudes or willingness to invest kind of
5 earlier into tech. 13:59:32

6 Q. Because of the color orange?

7 MR. JUDAH: Objection. Form.

8 THE WITNESS: No, it was -- it was just a pithy
9 way of describing the different segments. I can't recall
10 any specifics about why they were labeled orange. 13:59:45

11 Q. BY MR. SULLIVAN: Any other segments?

12 A. I can't think of any others.

13 Q. Does Google sell any of its smart speakers at a
14 price that is below their cost?

15 A. For both Nest Mini and Nest Audio, the MSRPs are 14:00:19
16 above their bill of materials.

17 Q. How much above?

18 MR. JUDAH: Objection. Form. Objection.
19 Outside the scope.

20 THE WITNESS: It's been a while since I've 14:00:41
21 worked on both products so I can only provide rough
22 estimates.

23 Q. BY MR. SULLIVAN: Sure. What are they?

24 MR. JUDAH: Same objections.

25 THE WITNESS: So Nest Mini's bill of materials I 14:00:51

1 recall being [REDACTED] and sold for \$49
2 MSRP. And then Nest Audio's bill of materials I think
3 was around [REDACTED] and then sold at an
4 MSRP of \$99.

5 Q. BY MR. SULLIVAN: Does Google make money off of 14:01:15
6 its smart speakers?

7 MR. JUDAH: Objection. Outside the scope.
8 Objection to form.

9 THE WITNESS: I'm not in the finance department
10 so I'm not privy to the top level kind of P&L. 14:01:28

11 Q. BY MR. SULLIVAN: Do you have any idea of
12 whether Google's smart speakers are profitable?

13 MR. JUDAH: Same objections.

14 THE WITNESS: Not really.

15 Q. BY MR. SULLIVAN: Would Google sell a product 14:01:48
16 that wasn't profitable?

17 MR. JUDAH: Same objections.

18 THE WITNESS: I can't speak to the hypothetical,
19 but I can say that Google encourages all of our hardware
20 products to be run sustainably. 14:02:04

21 Q. BY MR. SULLIVAN: And how does Google make money
22 from its smart speakers?

23 MR. JUDAH: Same objections.

24 THE WITNESS: I don't know that Google makes
25 money from its smart speakers. 14:02:23

1 STATE OF CALIFORNIA) ss:

2 COUNTY OF MARIN)
3

4 I, LESLIE ROCKWOOD ROSAS, RPR, CSR NO. 3462, do
5 hereby certify:

6 That the foregoing deposition testimony was
7 taken before me at the time and place therein set forth
8 and at which time the witness was administered the oath;

9 That testimony of the witness and all objections
10 made by counsel at the time of the examination were
11 recorded stenographically by me, and were thereafter
12 transcribed under my direction and supervision, and that
13 the foregoing pages contain a full, true and accurate
14 record of all proceedings and testimony to the best of my
15 skill and ability.

16 I further certify that I am neither counsel for
17 any party to said action, nor am I related to any party
18 to said action, nor am I in any way interested in the
19 outcome thereof.

20 IN WITNESS WHEREOF, I have subscribed my name
21 this 30th day of November, 2022.
22

23 
24

25 LESLIE ROCKWOOD ROSAS, RPR, CSR NO. 3462